

The State Licensing Board for Residential and General Contractors, General Contractor Division, met via **Conference Call April 13, 2006** at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia, for the purpose of conducting business.

Members Present:

- Roger Huggins, Chairman
- Timothy Ansley
- David Cyr
- Morgan Wheeler

Others Present:

- Kyle Floyd, Executive Director
- Tanja Battle, Deputy Division Director
- Laura Sturick, Serving as Board Secretary
- Reagan Dean, Board Attorney
- Chris Helms, Board Attorney
- Mark Woodall, Georgia Branch, Associated General Contractors

Chairman Huggins established that a quorum was present, and called the meeting to order at 1:00 P.M.

Chris Helms addressed his concerns with the Division's actions at its April 6, 2006 meeting wherein the Division rescinded a motion from the prior month's meeting that stated none of the projects listed on the general contractor application could be based in the residential-light commercial or residential-basic categories. The Division decided instead that it would accept light-commercial category projects as well as, or instead of, general category projects to fulfill the requirement for issuing a general contracting license. Mr. Helms' concern with this is that Chapter 41 of Title 43 of the O.C.G.A. sets the general contractor license as a license that allows for work that goes above and beyond the requirements that the code sets for the residential light-commercial category of licensure. Thus, according to Mr. Helms, the Division's position is not as defensible from a legal standpoint as it would be if the Division were at least requiring general contractor applicants to submit two or three projects that fall outside of the residential-light commercial category. Not requiring any projects outside of the residential-light commercial category makes it more unclear what difference there is between licenses for light-commercial and general contracting relative to project experience.

Reagan Dean added that the Division's task is to protect the public and he questioned why someone who only performs light-commercial category projects would need to be licensed as a general contractor. Mr. Dean warned the Division of the potential for a challenge from an applicant who is denied issuance of a license by the Division because the applicant only submits residential-basic category projects.

The Division countered that persons who have only been performing light-commercial category projects have always considered themselves general contractors and should therefore be allowed to qualify for a general contracting license based on light-commercial projects. The Division further argued that requiring only general contracting projects as a requirement of general contracting would put those applicants forced to obtain a residential-light commercial contracting license under the jurisdiction of the residential division; and the Division feels the residential division is not equipped to oversee actions of persons performing any type of commercial project.

The Division, after considering the advise of the Attorney General's Office, determined it best to leave things as determined and voted upon at the April 6, 2006 meeting.

David Cyr made a motion to adjourn the conference call meeting. Timothy Ansley seconded the motion and the Division voted unanimously to adjourn at 1:45 P.M.

Minutes recorded by:

Laura Sturick, acting Board Secretary

Reviewed/Edited by:

Kyle Floyd, Executive Director